

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**RUTH STERN,**

**Plaintiff,**

**vs.**

**INTERNAL MEDICINE  
CONSULTANTS, II, L.L.C., ET. AL.,**

**Defendants.**

**Case No. 4:04CV1458SNL**

**ORDER**

This matter is before the Court on the defendants' motion to dismiss for plaintiff's failure to file a healthcare affidavit (#14), filed June 2, 2005. In light of the fact that summary judgment was recently granted to the defendants and this cause of action dismissed with prejudice, the Court will deny said motion as moot.

Accordingly,

**IT IS HEREBY ORDERED** that defendants' motion to dismiss (#14) be and is  
**DENIED AS MOOT.**

Dated this 11th day of August, 2005.

  
\_\_\_\_\_  
SENIOR UNITED STATES DISTRICT JUDGE